

## REMARKS

Prior to entry of this amendment, claims 1, 3-37 and 44-54 were pending. No claims are canceled and no claims are added herein. Thus, after entry of this amendment, **claims 1, 3-37 and 44-54 will still be pending**. Of these, claims 18-27, 29, 31, 33, 35, and 37 are currently withdrawn.

Claim 1 is amended herein to specify that the Japanese encephalitis virus (JEV) signal sequence is a prM signal sequence, support for which can be found at page 19, lines 13-15 of the specification, and throughout the Examples. Claims 4-7 are amended to insert “prM” for consistent claim language. Claims 19, 30 and 31 are amended to clarify that the flavivirus antigen can include amino acid sequence from JEV if the antigen is a chimeric antigen. Claim 44 is amended to recite that the modified JEV signal sequence comprises the nucleotide sequence of SEQ ID NO: 14 or SEQ ID NO: 27. This amendment is supported by the original specification, such as in Example 9, beginning on page 47, and in Examples 13-15, beginning on page 57 of the specification. No new matter has been introduced by these amendments and no amendments are made to distinguish prior art.

## REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

**Claims 1, 3-17, 28, 30, 32, 34, 36 and 44-54** are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The Office states that the claims fail to set forth the salient characteristics of the JEV signal sequence. As suggested by the Office, claim 1 is amended herein to specify that the JEV signal sequence is a JEV prM signal sequence.

**Claim 44** is also rejected as vague and indefinite for failing to adequately describe the modifications of the signal sequence. Claim 44 is amended herein to recite that the nucleotide sequence of the modified signal sequence comprises SEQ ID NO: 14 or SEQ ID NO: 27.

Applicant submits that in view of the amendments submitted herein, the rejections under 35 U.S.C. §112, second paragraph are moot. Accordingly, Applicant requests withdrawal of these rejections.

## REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH

**Claims 1, 3-17, 28, 30, 32, 34, 36 and 44-54** are rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement. The Office states that the working embodiments of

the application only include the use of the prM signal sequence. Although Applicant is not in agreement with the Office's position, and solely to advance prosecution of the application, claim 1 is amended herein to specify that the JEV signal sequence is a prM signal sequence. Accordingly, Applicant submits this rejection under 35 U.S.C. §112, first paragraph is moot and requests withdrawal of the rejection.

## REJOINDER

Applicant believes the claims are now in condition for allowance. Therefore, rejoinder and examination of withdrawn claims 18-27, 29, 31, 33, 35 and 37 is requested.

## CONCLUDING STATEMENT

It is respectfully submitted that the present claims are in a condition for allowance. Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By /Jodi L. Connolly/  
Jodi L. Connolly, Ph.D.  
Registration No. 54,044